

PATENT COOPERATION TREATY
PCT
INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)
(PCT Article 36 and Rule 70)

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Applicant's or agent's file reference 2031889-slb	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/SG2004/000249	International filing date (day/month/year) 18 August 2004	Priority date (day/month/year) 18 August 2003
International Patent Classification (IPC) or national classification and IPC Int. Cl. ⁷ G06F 17/60 G06F 17/30		
Applicant PRIME KING INVESTMENTS LTD et al		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
- a. ☒ (sent to the applicant and to the International Bureau) a total of 8 sheets, as follows:
- ☐ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
- b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or table related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items:
- ☒ Box No. I Basis of the report

☐ Box No. II Priority

☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

☐ Box No. IV Lack of unity of invention

☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

☐ Box No. VI Certain documents cited

☐ Box No. VII Certain defects in the international application

☐ Box No. VIII Certain observations on the international application

Date of submission of the demand 17 June 2005	Date of completion of the report 26 July 2005
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer ROSEMARY LONGSTAFF Telephone No. (02) 6283 2637

Box No. I **Basis of the report**

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1 (b))
- ☐ publication of the international application (under Rule 12.4)
- ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-15 as originally filed/furnished
- pages* received by this Authority on with the letter of
- pages* received by this Authority on with the letter of
- ☒ the claims:
- pages as originally filed/furnished
- pages* as amended (together with any statement) under Article 19
- pages* 16-23 received by this Authority on 21 July 2005 with the letter of 20 July 2005
- pages* received by this Authority on with the letter of
- ☒ the drawings:
- pages 1 as originally filed/furnished
- pages* received by this Authority on with the letter of
- pages* received by this Authority on with the letter of
- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to the sequence listing (*specify*):
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to the sequence listing (*specify*):

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/SG2004/000249

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 1-35	YES
	Claims	NO
Inventive step (IS)	Claims 1-35	YES
	Claims	NO
Industrial applicability (IA)	Claims 1-35	YES
	Claims	NO

2. Citations and explanations (Rule 70.7)

EP 971303

US 2001/0044327

WO 1999/052052

US 2002093426

All claims are novel and involve an inventive step over the prior art. None of the cited documents, alone or in combination, disclose all features of claims 1-26.

In particular, EP 971303, which was cited as an "X" document in the International search report, does not disclose "that from a number of offers available, those which relate to the detected consumer based on the characteristics of the consumer, are generated".

10/568753

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10/568753 Rec'd PCT/PTO 21 FEB 2006Claims

1. A spontaneous delivery marketing system for providing offers to consumers, comprising:
- 5 a detection device for detecting consumers, in proximity to a location where merchandise is available to the consumers, without requiring interaction by the consumers;
- 10 a processor for generating offers applicable to a detected consumer based on data held in a database relating to characteristics of the detected consumer, so that from a number of offers available, those which relate to the detected consumer based on the characteristics of the consumer are generated, to thereby produce different
- 15 offers specific to individual consumers;
- an output device for supplying a message to a detected consumer, providing the offers available at the location to the consumer; and
- 20 wherein the detected consumer is therefore able to receive offers without physical interaction on his or her part, and to avail himself or herself of the offers contained in the message at the location.
2. The system of claim 1 wherein the said location is a
- 25 retail outlet, a mall, food court or event area.
3. The system of claim 1 wherein the detection device comprises an RFID (radio frequency identification device) reader for reading an RFID tag carried by the consumer to
- 30 identify a particular consumer.
4. The system of claim 3 wherein the RFID tag can provide a unique code which provides a unique identification of a consumer so that individual consumers
- 35 can be identified and distinguished from one another.

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5. The system of claim 4 wherein the RFID tag is contained in a card carried by the consumer.
6. The system of claim 1 wherein the output device
5 comprises a transmitter for wireless transmission of the message to the individual consumer's mobile telephone or PDA.
7. The system of claim 6 wherein the message is an SMS,
10 EMS or MMS message.
8. The system of claim 1 wherein the output device is a printer for printing a document containing the offer.
9. The system of claim 1 wherein the processor receives
15 a target file of offers for individual consumers from a central station, the target offers being based on data held at the central station relating to personal information associated with individual consumers.
20
10. The system of claim 9 wherein the first processor comprises a first server for receiving the file, a second server associated with the location being connected to the first server, and an EPOS terminal connected with the
25 second server so that offers contained in the list for a particular consumer are transmitted from the first server to the second server and then to the EPOS terminal so that when a consumer identifies himself or herself at the EPOS terminal, purchases made by the consumer are provided in
30 accordance with the offers contained in the message to the consumer.
11. The system of claim 10 wherein the consumer
35 identifies himself or herself by displaying the message to a person at the EPOS terminal, or by swiping a card which contains the user's identifying data at the EPOS terminal.

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12. The system of claim 10 wherein the second server is also coupled to a retail server for obtaining data relating to the purchases made by particular customers.
- 5 13. The system of claim 10 wherein a second processor is located at the central location, the second processor comprising a head office database connected to the retail server for receiving data from the retail server relating to purchases made by particular customers, the head office
10 database holding information relating to the consumers so that offers applicable to individual consumers can be made based on the data held in the database and particular products which marketers wish to promote by way of offers to consumers so that the offers to consumers are matched
15 with characteristics of the consumers, so that consumers are provided with messages containing offers applicable to that consumer and tailored specifically for that consumer.
14. The system of claim 13 wherein the retailer server
20 may also include an inventory system for maintaining inventory data relating to products available at the location and for providing that data to the said database.
15. The system of claim 14 wherein the retail server
25 communicates with the second server for providing inventory data from the inventory system relating to products available for sale for use by the EPOS checkout during the purchase of products at the location.
- 30 16. The system of claim 10 wherein the second processor further comprises an application server for producing the target file and transmitting the target file to the first server, the first server including a first server database for maintaining a database of specific offers targeted to
35 specific consumers.

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17. A method of spontaneous delivery of marketing offers to consumers, comprising:

detecting consumers in proximity to a location where merchandise is available to the consumers, without

5 requiring interaction by the consumers;

generating offers applicable to a detected consumer based on data held in a database relating to characteristics of the detected consumer, so that from a number of offers available, those which relate to the
10 detected consumer based on the characteristics of the consumer are generated, to thereby produce different offers specific to individual consumers;

outputting a message to a detected consumer, providing the offers available at the location to the
15 consumer; and

wherein the detected consumer is therefore able to receive offers without physical interaction on his or her part, and to avail himself or herself of the offers contained in the message at the location.

20

18. The method of claim 17 wherein the said location is a retail outlet, a mall, food court or event area.

19. The method of claim 17 wherein detecting consumers
25 comprises detecting an RFID tag carried by the consumer with an RFID reader to identify a particular consumer.

20. The method of claim 17 wherein outputting the message comprises wireless transmission of the message to the
30 individual consumer's mobile telephone or PDA.

21. The method of claim 20 wherein the message is an SMS, EMS or MMS message.

35 22. The method of claim 17 wherein outputting the message comprises printing a document containing the offer.

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23. The method of claim 17 wherein the method further comprises receiving a target file of the offers for individual consumers from a central station, the target offers being based on data held at the central station
5 relating to personal information associated with individual consumers.

24. The method of claim 23 wherein the method comprises receiving the file at a first server, transferring the
10 file to a second server associated with the location, and to an EPOS terminal so that offers contained in the file for a particular consumer are transmitted from the first server to the second server and then to the EPOS terminal so that offers contained in the list for a particular
15 consumer are transmitted from the office server to the store server and then to the EPOS terminal so that when a consumer identifies himself or herself at the EPOS terminal, purchases made by the consumer are provided in accordance with the offers contained in the message to the
20 consumer.

25. The method of claim 17 wherein the consumer may identify himself or herself by displaying the message to a person at the checkout terminal, or by swiping a card
25 which contains the user's identifying data at the EPOS terminal.

26. The method of claim 25 wherein the method further comprises compiling a database of information relating to
30 the consumers so that offers applicable to individual consumers can be made based on the data held in the database and particular products which marketers wish to promote by way of offers to consumers so that the offers to consumers are matched with characteristics of the
35 consumers, so that consumers are provided with messages containing offers applicable to that consumer and tailored specifically for that consumer.

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27. A spontaneous delivery marketing system for providing offers to consumers, comprising:

a detection device for detecting consumers, in proximity to a location where merchandise is available to the consumers, without requiring interaction by the consumers;

a first processor for receiving a file of offers, the first processor being associated with the location;

a second processor at a central station for compiling the offers for transmission to the first processor;

an output device for providing a message to a consumer containing offers from the file of offers; and

an EPOS terminal at the location at which payment for goods or services can be made, and for receiving the file of offers relating to a consumer from the second processor so that if the consumer purchases offers included in the message, the consumer pays for those offers in accordance with the offers as transmitted to the EPOS terminal.

28. The system of claim 27 wherein the consumer identifies himself or herself by displaying the message to a person at the EPOS terminal, or by swiping a card which contains a user's identifying data at the EPOS terminal.

29. The system of claim 27 wherein the second processor compiles a list of specific offers for consumers based on a database contained at the central station, the offers being based on data held in the database which relates to personal information associated with the individual consumers so that specific offers are generated for specific individual consumers.

30. The system of claim 27 wherein the detection device comprises RFID reader for reading an RFID tag

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carried by the consumer to identify a particular consumer.

31. The system of claim 29 wherein the second processor comprises a head office database connected to a retail server for receiving data from the retail server relating to purchases made by particular customers, the head office database holding information relating to the consumers so that offers applicable to individual consumers can be made based on the data held in the database and particular products which marketers wish to promote by way of offers to consumers so that the offers to consumers are matched with characteristics of the consumers, so that consumers are provided with messages containing offers applicable to that consumer and tailored specifically for that consumer.

32. A method of spontaneous delivery of marketing offers, comprising:
detecting consumers in proximity to a location where merchandise is available to the consumers, without requiring interaction by the consumers;
compiling offers at a central station for transmission to the location;
processing a file of the offers at the location;
providing a message containing offers from the file of offers to a consumer; and
receiving the file of offers relating to a consumer by an EPOS terminal at the location so that if the consumer purchases offers included in the message, the consumer pays for those offers in accordance with the offers as transmitted to the EPOS terminal.

33. The method of claim 32 wherein the consumer identifies himself or herself by displaying the message to a person at the EPOS terminal, or by swiping a card which contains a user's identifying data at the EPOS terminal.

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34. The method of claim 32 wherein the list of offers
for a consumer is a specific list for an individual
consumer based on a database contained at the central
station, the offers being based on data held in the
5 database which relates to personal information associated
with the individual consumers so that specific offers are
generated for specific individual consumers.

35. The method of claim 32 wherein the detection step
10 comprises detecting an RFID tag carried by the consumer to
identify a particular consumer.

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